

BEFORE THE STATE ENGINEER OF OREGON

Deschutes County

IN THE MATTER OF THE APPLICATION OF)
KAY G. AND EILEEN F. SELEEN FOR THE)
APPROVAL OF A CHANGE IN PLACE OF)
USE OF WATER FROM DESCHUTES RIVER)

ORDER APPROVING
TRANSFER NO. S-177

On December 13, 1965, Kay G. and Eileen F. Seleen filed an applica-
tion in the office of the State Engineer for the approval of a change in place
of use of water from Deschutes River, pursuant to the provisions of ORS 540.510
to 540.530.

By Decree of the Circuit Court for Deschutes County, Oregon, entered
September 30, 1958, In the Matter of the Determination of the Relative Rights
to the Use of the Waters of Deschutes River and its Tributaries, a water right
was established in the name of the Arnold Irrigation District for the irrigation
of, among other lands, 3.0 acres in the E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 28, Township 18
South, Range 12 East, W.M., tabulated in the name of Wallace Finley, with dates
of priority of February 1, 1905 and April 25, 1905. These lands also have a
supplemental right under permit No. 23256 to the use of the water stored in
Crane Prairie Reservoir, with a date of priority of February 28, 1913.

The applicants herein, owners of the land above described, propose
to transfer the water right therefrom, without loss of priority, to 3.0 acres
in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{2}$, Section 28, Township 18 South, Range 12 East, W.M.

Notice by publication as provided by ORS 540.520 was not given in
connection with this application for the reason that said section provides notice
is not required on an application for a change in place of use of water only.

The lands involved herein are within the boundaries of the Arnold
Irrigation District and the Board of Directors of said District approved the
proposed change in place of use of water on December 7, 1965.

No objections having been filed and it appearing that the proposed change
in place of use of water may be made without injury to existing rights, the
application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the proposed change in place of use of water is approved and the water right hereinbefore described as appurtenant to 3.0 acres in the ~~E¹/₄ N¹/₄ NE¹/₄~~, Section 28, Township 18 South, Range 12 East, W.M. be severed therefrom and simultaneously and without loss of priority transferred to 3.0 acres in the ~~N¹/₄ N¹/₄ NE¹/₄~~, Section 28, Township 18 South, Range 12 East, W.M.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1966.

It is FURTHER ORDERED that upon receipt of proof satisfactory to the State Engineer of complete application of water to beneficial use on the lands to which the water is transferred hereby, certificate of water right shall be issued to Arnold Irrigation District at the time certificate is issued to the District confirming other transfers within the District.

Dated at Salem, Oregon, this 31st day of December, 1965.



CHRIS L. WHEELER
State Engineer